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IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

CIVIL ACTION NO. 5:22-CV-00869-JKP-HJB

30(b)(6) VIDEOCONFERENCE AND VIDEO DEPOSITION
OF UNITED STATES AIR FORCE OFFICE OF SPECIAL
INVESTIGATIONS BY MICHAEL CRUNK - 04/24/2025

DR. JOHN ROE,

Plaintiff,

V.

UNITED STATES OF AMERICA, et. Al.,

Defendant.

The 30(b)(6) VIDEOCONFERENCE AND VIDEO
DEPOSITION OF UNITED STATES AIR FORCE OFFICE OF
SPECIAL INVESTIGATIONS BY MICHAEL CRUNK was taken by
the Plaintiff on April 24, 2025, commencing at the
hour of 11:35 a.m., before ROSIE STAHL, Shorthand
Reporter and Notary Public within and for the State
of Colorado.

DEFENDANT'S
EXHIBIT

23

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1 APRIL 25, 2025, 11:35 A.M. MT

2 P R O C E E D I N G S

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4 THE VIDEOGRAPHER: Okay. We are on
5 the record at 11:35 a.m. Today is April 24th,
6 2025. This begins the 30 -- the video-recorded
7 deposition of 30(b)(6) for United States Air Force
8 Office of Special Investigations given by Michael
9 Crunk taken in the matter of Dr. John Roe versus
10 the United States of America, et al.

11 This deposition is being taken via
12 videoconferencing. The court reporter today is
13 Rosie Stahl. The videographer is Dwayne Beuthel.

14 Counsel, please introduce yourselves
15 and the parties you represent beginning with
16 plaintiff's counsel first.

17 MR. WAREHAM: This is Jason Wareham,
18 lead counsel for Dr. Roe, plaintiff, along with
19 John Hodges, cocounsel, and Lance Henry.

20 MS. SEEMAN: Katrina Seeman on
21 behalf of the government defendants. I'm joined by
22 my cocounsel Joseph Gonzalez.

23 THE VIDEOGRAPHER: Will our court
24 reporter please swear in the deponent.

25 MICHAEL CRUNK,

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1 Being first duly sworn, was examined and testified
2 as follows:

3 THE VIDEOGRAPHER: You may begin.

4 EXAMINATION

5 BY MR. WAREHAM:

6 Q. Greetings, Mr. Crunk. As I said
7 just now, my name is Jason Wareham. I'm lead
8 counsel on the plaintiff's side. Have you -- have
9 you ever been deposed before?

10 A. I have.

11 Q. I presumed. Have you ever been a
12 30(b)(6) witness in a deposition before?

13 A. No, I have not.

14 Q. Okay. So I'm just going to go
15 through a few instructions and clarifications and
16 we'll move to the substance today. Okay?

17 A. Okay.

18 Q. So first off, as you know from prior
19 depositions, you know, our entire focus here is to
20 get at the truth of facts and circumstances. It's
21 under oath. We're not here trying to play games or
22 test your memory. If you don't know something, we
23 don't want you to make it up obviously. If you
24 don't know, saying "I don't know" is just fine.

25 If there's any question that is

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1 do is I want to start broadly as much as possible,
2 and then we can shape the questions down to this
3 specific case.

4 So let's start with the -- 26, which
5 involves all directives, manuals, instructions,
6 handbooks, or SOP in effect during Dr. Roe's
7 investigation that govern those categories. So
8 let's start with insider threat investigations.

9 Can you tell me what directives,
10 manuals, instructions, handbooks, or SOPs govern
11 insider threat investigations?

12 A. So, in general, OSI -- I just want
13 to say, OSI did not conduct an investigation on
14 Dr. Roe, and so any policies, directives,
15 investigations and things related to investigations
16 would not have been applicable in OSI's involvement
17 in this. So I didn't spend an inordinate amount of
18 time looking at those policies and regulations.

19 Q. Okay. Well, let's then -- thank you
20 for that answer. I appreciate it. Let's do this
21 around that answer. I'm just searching for where
22 we'll go back to make sure that it's clear for the
23 record and for counsel which numbers we're under
24 here.

25 So let's go to No. 4. So I describe

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1 Dr. Roe's matter there, and that's actually -- for
2 clarity, that involves Dr. [REDACTED] So I've seen a
3 number of reports and communications by a Special
4 Agent Beall. All right. So when I -- I get that
5 no -- your answer was no investigation was open,
6 but when I'm asking questions, I'm going to be
7 referencing the actions of Agent Beall with respect
8 to Dr. [REDACTED] Does that make sense to you?

9 A. Yes, it does.

10 Q. So I don't want us to split hairs
11 unnecessarily. I'll just call it Dr. [REDACTED]
12 matter. Does that work for you?

13 A. Yes.

14 Q. Okay. So can you -- well, yeah.
15 Can you take me through the timeline of actions for
16 Dr. [REDACTED] matter?

17 A. Sure. So based on the documentation
18 that I reviewed, it appears that OSI was brought
19 the information from HNCO in approximately
20 August 19th, 2020, and based on that email, it
21 contained a memorandum outlining some concerns
22 related to Dr. Roe, and then communications
23 happened over the next couple of days. Mr. -- one
24 of the things that came out in the letter was that
25 Mr. [REDACTED] had informed AFCLC/HNCO on 20 August

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1 that he is planning to resign from the NSA.

2 Based on that, Mr. Beall

3 communicated -- let's see. Sorry, I need to get
4 the dates. Mr. Beall communicated August 24th that
5 he had had a -- he and the HNCO security office
6 decided a security inquiry should be performed on
7 the incident, and also that since Mr. [REDACTED] had
8 given notice of his resignation from NSA, Mr. Beall
9 would debrief Mr. [REDACTED] from the program that he
10 had access to that week because his clearance and
11 program access were based upon his position within
12 the NSA.

13 Q. Okay. So can you, for record
14 clarity, recite what the Bates number, the little
15 number starting with leading zeros are for each of
16 those documents that just referenced?

17 A. Sure. So the letter that -- let me
18 back up.

19 So the email, the initial email that
20 I have that indicates August 19, 2020 has
21 US0000271, and that goes into 272 and 273, and that
22 references the memorandum which is US0000106, and
23 that's where I referenced the information that Dr.
24 [REDACTED] had informed that he would leaving -- that
25 he was going to resign from NSA.

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1 And then the document number -- an
2 email from Mr. Beall where he indicated he and the
3 agency security office had decided the security
4 inquiry would be performed and that Mr. Beall would
5 be debriefing Mr. [REDACTED] was US0000061.

6 Q. So how would you describe the
7 actions taken by Special Agent Beall if we're not
8 using the term investigation was opened, how would
9 you describe the actions of Agent Beall?

10 A. Sure. In Mr. Beall's capacity, he
11 was serving as a program security officer, which is
12 overall cognizance of security for this program
13 that Dr. [REDACTED] was accessed to. And so within
14 his security authorities that are derived from DOD
15 manual 5205.07, Volume 1 and DOD manual 5205.7,
16 Volume 2, those describe the roles and
17 responsibilities of a program security officer,
18 which Mr. Beall was. So the actions taken by Mr.
19 Beall were under his authorities as a program
20 security officer.

21 Q. Okay. And what is the -- what are
22 the roles and responsibilities of an OSI agent
23 serving as a program securities officer?

24 A. So the information about why OSI has
25 it organized that way between special agents and

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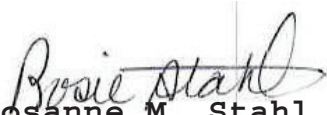
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REPORTER CERTIFICATE

I, ROSANNE M. STAHL, Shorthand Reporter and Notary Public within and for the State Of Colorado, do hereby certify that previous to the Commencement of the testimony, the said JOSEPH BURGHARD was sworn by me to testify to the truth in Relation to the matters in controversy between the Said parties so far as he should be interrogated Concerning the same; that the said deposition was Taken in stenograph by me at the time and place Aforesaid and was thereafter reduced to typewritten Form; that the foregoing is a true and correct Transcript of my stenographic notes thereof; and That Deposition Exhibit 1 was marked and used in The interrogation.

I further certify that I am not Employed by, related to, nor counsel for any of the Parties herein, nor otherwise interested in the Event of this action.

IN WITNESS WHEREOF, I have affixed My signature and seal this 7th day of May, 2025.


Rosanne M. Stahl
Notary Public

MY COMMISSION EXPIRES: 04/13/26.